

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	Conf. No.: 7016
Susan Marie METCALFE)	
)	Art Unit: Not yet assigned
U.S. Application No. 10/587,995)	
)	
U.S. Filing Date: July 31, 2006)	Examiner: Not yet assigned
)	
Int'l App. No. PCT/EP2005/000934)	
)	
Int'l Filing Date January 31, 2005)	
)	
For: METHOD OF INDUCING OR)	
MODULATING IMMUNE RESPONSE)	

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. § 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Transmitted herewith are papers in the above-identified application.

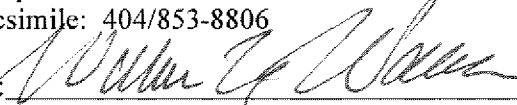
- 1) Part 1-Return Copy – Notice of Missing Requirements
- 2) Declaration and Power of Attorney
- 3) Amendment in Response to Notice under 37 CFR §§1.821-825
- 4) Sequence Identification Listing.
- 5) Statement accompanying Sequence Identification Listing.
- 6) Authorization to charge the Surcharge of \$65 to Deposit Account No. 19-5029.

☒ No additional fees are believed due, however, the Commissioner is hereby authorized to charge any fees required under 37 CFR §1.16, or credit any overpayment, to Account No. 19-5029. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being electronically filed with the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 24, 2007.


William L. Warren – Reg. No. 36,714

SUTHERLAND ASBILL & BRENNAN LLP
999 Peachtree Street, NE
Atlanta, Georgia 30309-3996
Telephone: 404/853-8000
Facsimile: 404/853-8806

By: 
William L. Warren – Reg. No. 36,714
Attorney for Applicant
Attorney Docket No. 25991-0002

I hereby certify that this correspondence is being electronically filed with the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 27, 2007.


William L. Warren – Reg. No. 36,714



UNITED STATES PATENT AND TRADEMARK OFFICE

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 Alexandria, Virginia 22313-1450
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U.S. APPLICATION NUMBER NO. 10/587,995	FIRST NAMED APPLICANT Susan Marie Metcalfe	ATTY. DOCKET NO. 25991-0002
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RECEIVED

INTERNATIONAL APPLICATION NO. PCT/EP05/00934	
I.A. FILING DATE 01/31/2005	PRIORITY DATE 01/29/2004

29052

SUTHERLAND ASBILL & BRENNAN LLP
 999 PEACHTREE STREET, N.E.
 ATLANTA, GA 30309

MAY 03 2007

**SUTHERLAND ASBILL &
 BRENNAN LLP**

CONFIRMATION NO. 7016
 371 FORMALITIES LETTER



OC000000023594718

Date Mailed: 04/30/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 07/31/2006
- Copy of the International Search Report filed on 07/31/2006
- Preliminary Amendments filed on 07/31/2006
- Information Disclosure Statements filed on 07/31/2006
- Biochemical Sequence Diskette filed on 07/31/2006
- Biochemical Sequence Listing filed on 07/31/2006
- U.S. Basic National Fees filed on 07/31/2006
- Priority Documents filed on 07/31/2006
- Specification filed on 07/31/2006
- Claims filed on 07/31/2006
- Abstracts filed on 07/31/2006
- Drawings filed on 07/31/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- The paper or compact disc copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e). Applicant must provide a substitute paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application** OR a substitute computer readable form (CRF) copy of the "Sequence Listing". These two items must be the same. Applicant must also provide a statement that the content of the

sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/587,995	PCT/EP05/00934	25991-0002

STIC Biotechnology Systems Branch

RAW SEQUENCE LISTING **ERROR REPORT**

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 10/587,995
Source: JFWP
Date Processed by STIC: 08/8/2006

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION AND PATENTIN SOFTWARE QUESTIONS, PLEASE CONTACT MARK SPENCER, TELEPHONE: 571-272-2510; FAX: 571-273-0221

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE **CHECKER VERSION 4.4.0 PROGRAM**, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker/chkrnote.htm>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/efc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
3. Hand Carry, Federal Express, United Parcel Service, or other delivery service (EFFECTIVE 01/14/05):
U.S. Patent and Trademark Office, Mail Stop Sequence, Customer Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314

Revised 01/10/06



IFWP

RAW SEQUENCE LISTING
PATENT APPLICATION: US/10/587,995

DATE: 08/08/2006
TIME: 09:17:15

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Output Set : N:\CRF4\08082006\J587995.raw

3 <110> APPLICANT: Susan Marie Metcalfe
W--> 4 <120> TITLE OF INVENTION: Method of Inducing or Modulating Immune Response
C--> 5 <140> CURRENT APPLICATION NUMBER: US/10/587,995
C--> 5 <141> CURRENT FILING DATE: 2006-07-31
W--> 0 <130> FILE REFERENCE:
W--> 5 <160> NUMBER OF SEQ ID: 4

ERRORED SEQUENCES

Does Not Comply
Corrected Diskette Needed
Cpg -1, 2, 3)

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7 <211> LENGTH: 2728
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NO
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are
allowed
in
RNA
Sequence

RAW SEQUENCE LISTING
 PATENT APPLICATION: US/10/587,995

DATE: 08/08/2006
 TIME: 09:17:15

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 Output Set: N:\CRF4\08082006\J587995.raw

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52 ctggtaataca aaaaggtttt ttcttttagg tgagtgggaa agtattaccc ttgttttaaa 2520
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71 acgggtgggag tgggttaaat acagtgtcag attctctctg gaggcatagt caagttccca 540
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Same Error

RAW SEQUENCE LISTING
PATENT APPLICATION: US/10/587,995

DATE: 08/08/2006
TIME: 09:17:16

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Output Set: N:\CRF4\08082006\J587995.raw

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136 121 rhsqvprssm mvlgsfgtdl merrdldrr reissnlmd ynhrsgdftt ssyvqervps
137 181 sysqgarpke navstqlns sstnhqlpsd hqtvpsrds srssfrshfs prqsesfrns
138 241 shpafsyfss rnetptisns ergssqrpyr essdnegrrt trllsrias smsstffsrr
139 301 ssqdslntrs lssenyispr tltsqsrnng tsssdvseg raeeasqgfr flrrrwglss
140 361 lsqnhsssepe aenfnqeseg rnsqgpwlss lnrctplfs rrrregrdes srmstadvpp

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Type can be either RNA or DNA or PRT.

7 Same Error

RAW SEQUENCE LISTING
PATENT APPLICATION: US/10/587,995

DATE: 08/08/2006
TIME: 09:17:16

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Output Set: N:\CRF4\08082006\J587995.raw

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144 601 eavttcelck eklq1nledf dihelh1raha neqaeyefis sglylvvllh lceqsfsdmm
145 661 gntiepstrv rfinlartlq ahmedletse def
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VERIFICATION SUMMARY DATE: 08/08/2006
PATENT APPLICATION: US/10/587,995 TIME: 09:17:17

Input Set : A:\PTO.RJ.txt
Output Set: N:\CRF4\08082006\J587995.raw

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L:5 M:270 C: Current Application Number differs, Replaced Current Application No
L:5 M:271 C: Current Filing Date differs, Replaced Current Filing Date
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L:5 M:283 W: Missing Blank Line separator, <160> field identifier
L:6 M:283 W: Missing Blank Line separator, <210> field identifier
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